



## Legislation Details (With Text)

**File #:** 19-585      **Version:** 1

**Type:** New Business      **Status:** Agenda Ready

**File created:** 10/30/2019      **In control:** City Council

**On agenda:** 11/5/2019      **Final action:**

**Title:** Consider a resolution approving an agreement with the Hidden Lakes Homeowners Association of Keller, Texas, for an annual payment from the City of Keller, Texas towards the cost of maintaining landscape medians on public roadways within the Hidden Lakes Homeowners Association; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.

**Attachments:** 1. 110519\_HiddenLakesMedians\_Resolution, 2. 110519\_HiddenLakesMedians\_Exhibit A-Agreement

Date	Ver.	Action By	Action	Result
11/5/2019	1	City Council	approve	Pass

**To:** Mayor & City Council

**From:** Mark R. Hafner, City Manager

### Subject:

Consider a resolution approving an agreement with the Hidden Lakes Homeowners Association of Keller, Texas, for an annual payment from the City of Keller, Texas towards the cost of maintaining landscape medians on public roadways within the Hidden Lakes Homeowners Association; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.

### Background:

The developer of the Hidden Lakes Residential Sub-division entered into a verbal agreement in 1997 with the City of Keller not to separate the irrigation meters for the parkways (common association entrance ways) and the medians, thus saving the water impact fees and in doing so agreed to have the Homeowners Association assume the responsibility and costs of irrigating and maintaining (lawn cutting and fertilization) of the medians along Bear Creek Parkway, a public street owned and maintained by the City of Keller.

The developer desired a level of maintenance to the medians above the City of Keller's established maintenance standards and worked the costs of the maintenance and irrigation into the annual budget of the homeowners association.

The Association has been maintaining the irrigation system and has paid for the irrigation costs and lawn maintenance for over 20 years.

The Association has appeared before the City Council on numerous occasions asking the City of Keller to assist the Association with an annual payment towards the maintenance and irrigation costs for the medians within the public street citing the Unified Development Code that delegates those maintenance costs to the City of Keller.

The majority of the elected City Council wishes to terminate the verbal agreement between the City of Keller and the Association delegating the costs to irrigate and maintain the medians solely to the Association, and replace it with the proposed Agreement that will provide an annual monetary payment by the City of Keller to the Association towards the median maintenance costs.

**Financial Impact:**

The amount of the payment will be based on the per acre average cost of maintaining the medians on Rufe Snow Drive and North Tarrant Parkway as determined by the City of Keller. The first payment of this agreement will be based on a \$6,887.22 per acre charge at 3.25 acres (acreage of the medians within the Association) for a total payment of \$22,383.47.

**Citizen Input/Board Review:**

N/A

**Legal Review:**

The city attorney has reviewed and approved the proposed agreement.

**Alternatives:**

City Council has the following alternatives:

- Approve as submitted
- Approve with changes
- Denial